

**TOWN OF DAVIE
TOWN COUNCIL AGENDA REPORT**

TO: Mayor and Councilmembers

FROM/PHONE: Mark A. Kutney, AICP, Development Services Director 954-797-1101
Prepared by: Marcie Oppenheimer Nolan, Deputy Planning and Zoning Manager

SUBJECT: Delegation Request, DG 7-2-03, Innovative Concept Group, Pless-Webb, 6415 SW 41st Street/Generally located 600 feet on the west side of Davie Road on SW 41st Street.

AFFECTED DISTRICT: District 2

TITLE OF AGENDA ITEM:

A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, APPROVING A DELEGATION REQUEST TO CHANGE THE RESTRICTIVE NOTE AND REMOVE THE 6 FOOT WIDE UTILITY EASEMENT ALONG THE SOUTH ON THE PLAT KNOWN AS “PLESS-WEBB PLAT”; AND PROVIDING AN EFFECTIVE DATE.

REPORT IN BRIEF:

This plat note amendment is requested to allow the addition of a 4,124 square foot building and related covered walkway to an existing 3,500 square foot building located at 6415 SW 41st Street. The underlying land use category is RAC, Regional Activity Center and the zoning is B-2, Community Business District, Western Theme. The site is also located within the CRA.

The “Pless-Webb Plat” was approved by Town Council on June 28, 1984 and recorded in Plat Book 127, Page 27. The existing use is consistent with those built on the site. However, the addition of the 4,124 square foot building requires an amendment to the plat allowing Broward County to review any additional roadway trips that may result from the additional square footage.

The plat note currently restricts the property to:

“This plat is restricted to 3,500 square feet of office use. Medical and government offices are not permitted without approval of the County Commission.”

The notation shown on the face of the PLAT clarifying and limiting the use of the platted property is amended to:

“This plat is restricted to 8,734 square feet of commercial use.”

In addition, the applicant is requesting to vacate an existing 6’ utility easement is located along the south property line as approved on the plat. The applicant has letters of no objections from all utility users for the site.

A Site Plan (SP 3-4-05) has been submitted concurrent with this application

PREVIOUS ACTIONS: This item was tabled from the October 15, 2006 Town Council meeting to the December 6, 2006 meeting. The item was then tabled from the December 6, 2006 meeting to the January 3, 2007 meeting. These meetings were to allow the applicant to have the plans reviewed by the Central Broward Water Control District.

CONCURRENCES: N/A

FISCAL IMPACT: N/A

RECOMMENDATION(S): Staff finds the subject application complete and suitable for transmittal to the Town Council further consideration.

Attachment(s): Resolution, Future Land Use Map, Zoning and Aerial Map

RESOLUTION _____

A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, APPROVING A DELEGATION REQUEST TO CHANGE THE RESTRICTIVE NOTE AND REMOVE THE 6 FOOT WIDE UTILITY EASEMENT ALONG THE SOUTH ON THE PLAT KNOWN AS "PLESS-WEBB PLAT"; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the boundary plat known as the "PLESS-WEBB" was recorded in the public records of Broward County in Plat Book 127, Page 27; and

WHEREAS, the owners desire to revise the restrictive note associated with said plat; and

WHEREAS, the owners desire to vacate the 6' wide utility easement along the south property line of the plat; and

WHEREAS, Broward County requires that the Town of Davie concur with this revision prior to a review of the proposed revision by Broward County Commission.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF DAVIE, FLORIDA.

SECTION 1. The Town Council of the Town of Davie does hereby approve of the proposed revision to the restrictive note and vacation of utility easement shown on the "PLESS-WEBB." The proposed revision being specifically described on the report attached hereto as Exhibit "A".

SECTION 2. Any improvements required to satisfy Traffic Concurrency should be located within the Town of Davie on the local road network.

SECTION 3. This resolution shall take effect immediately upon its passage and adoption.

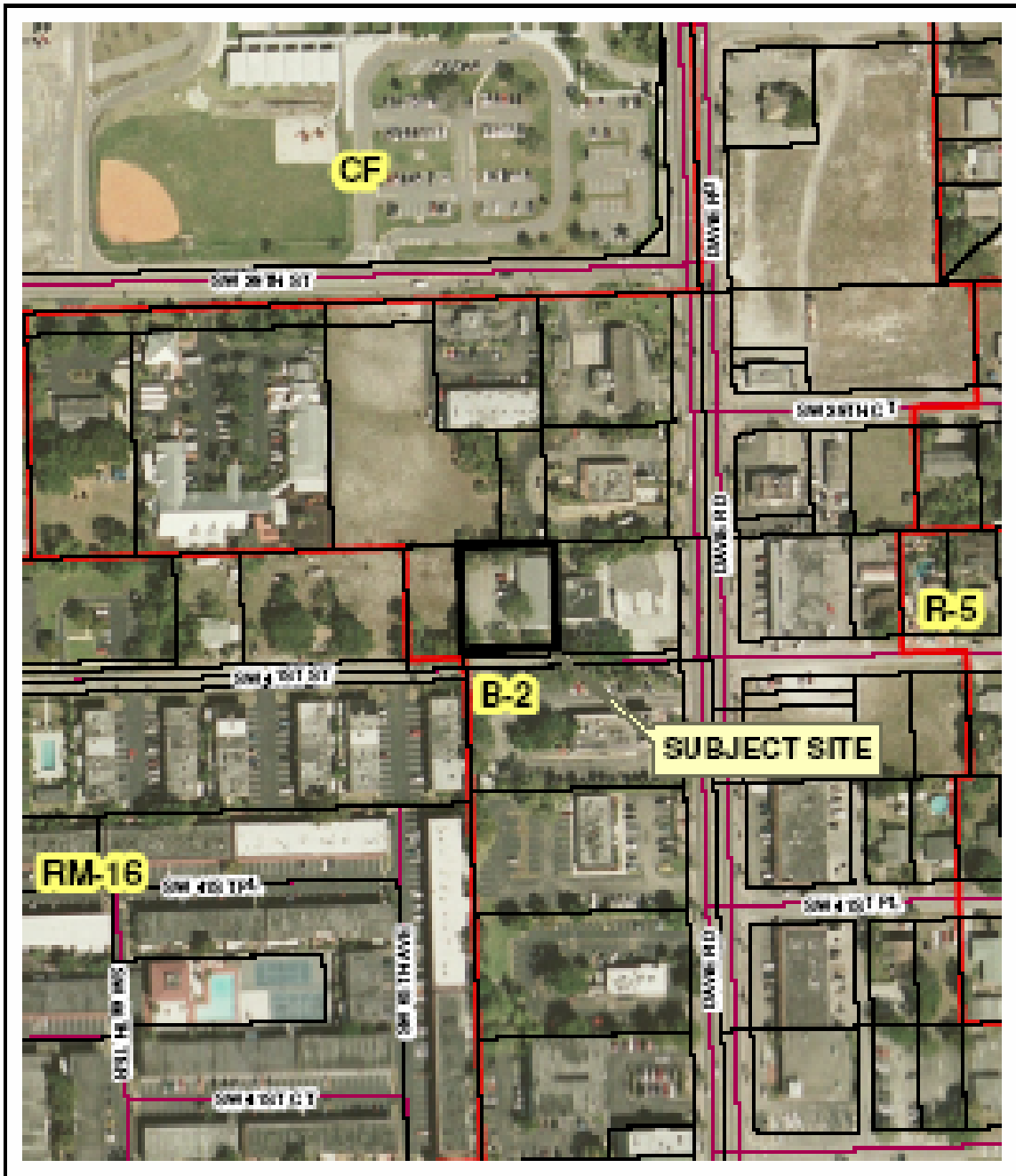
PASSED AND ADOPTED THIS _____ DAY OF _____, 2007.

ATTEST:

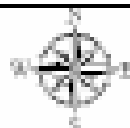
MAYOR/COUNCILMEMBER

TOWN CLERK

APPROVED THIS _____ DAY OF _____, 2007.



Date Flown:
12/2004



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Prepared by the Town of Castle GIS Division

Delegation Request DG 7-2-03 Zoning and Aerial Map

Prepared by: J. J. J.
Date Prepared: 12/11/04

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